

REMARKS

Claims 2-3, 12, 14-15, 20-28, and 33-59, 69, and 71-72 have been cancelled. Claims 1, 4-11, 13, 60-68, and 70 have been amended to clarify the subject matter regarded as the invention. Claims 1, 4-11, 13, 16-19, 29-32, 60-68, 70, and 73-80 are pending.

As amended, Independent Claims 1 and 60 each recite a specific condition. Specifically, both claims recite that the condition “comprises a condition that the competing bidder has placed at least one bid.” Other conditions, e.g., recited in dependent Claims 4-7, are “second” conditions, which would be determined in addition to the “first” condition recited in the independent claims and discussed above. Applicants therefore believe that the Examiner’s restriction as outlined on Page 2 of the Office Action is rendered moot. Further, the claims have been amended such that the terms “good” and “service” no longer are present. Applicants therefore believe that the Examiner’s restriction as outlined on Page 3 of the Office Action is also rendered moot.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: April 18, 2011

/Robyn Wagner/
Robyn Wagner
Registration No. 50,575
V 408-973-2596
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014